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OFFICE OF PETITIONS

|                                     |   |                   |
|-------------------------------------|---|-------------------|
| In re Application of                | : |                   |
| Soga, et al                         | : |                   |
| Application No. 09/880,733          | : | DECISION GRANTING |
| Filed: June 12, 2001                | : | PETITION          |
| Attorney Docket No. 16869S-027500US | : |                   |

This is a decision on the petition under 37 CFR 1.10(c), filed October 15, 2001, requesting that the above-identified application be accorded a filing date of June 12, 2001, rather than the presently accorded filing date of June 13, 2001.

Petitioners allege that the application was deposited in Express Mail service on June 12, 2001. In support, the petition is accompanied by a copy of Express Mail Receipt No. EL265821354US (the same Express Mail number found on the original application papers located in the official file) showing a "date in" of June 12, 2001.

In view of the above, the petition is **GRANTED**.

Accordingly, the application is entitled to a filing date of June 12, 2001.

Since the instant petition has been granted, no petition fee is required. The \$130.00 petition fee, submitted October 15, 2001, will be refunded to deposit account no. 20-1430

The application is being forwarded to the Office of Initial Patent Examination for issuance of a corrected filing receipt. The application will then be returned to Technology Center 2800 for examination in due course.

Telephone inquiries concerning this matter may be directed to Petitions Attorney Edward Tannouse at (703) 306-9200.

Beverly M. Flanagan  
Supervisory Petitions Examiner  
Office of Petitions  
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for Patent Examination Policy